

### **SUMMARY OF THE INTERVIEW**

Applicant thanks Examiner Elizabeth MacNeill for the courtesy extended to Paul S. Evans and Kevin B. Laurence in a personal interview conducted on Nov. 20, 2007. Pursuant to M.P.E.P. § 713.04, the substance of the interview is recorded below.

#### **Nature of Exhibit/Demonstration**

An exhibit was not shown nor was a demonstration conducted.

#### **Claims**

The independent claims were discussed.

#### **Prior Art**

U.S. Patent No. 5,295,974 issued to O'Laughlin, U.S. Patent No. 5,419,766 issued to Chang et al. and U.S. Patent No. 5,989,220 issued to Shaw et al. were reviewed with regard to their lack of a needle retainer with an elongated arm which directly engages the catheter hub and rotates on a pivot.

#### **Principal Proposed Amendments**

The amendments to claim 1 shown above were proposed.

#### **Principal Arguments**

The recitation that the elongated arm directly engages the catheter hub and rotates on a pivot differentiates the claimed invention over the prior art of record.

#### **Results**

Although no agreement was reached, the proposal received favorable consideration.

## **REMARKS**

Claims 1-4, 6-18, and 20-21 were pending in the Present Application. By this Supplemental Amendment, claims 1, 6 and 14 are amended and claims 15-21 are cancelled. Claims 2, and 11-13 remain withdrawn from consideration.

### **Claim Amendments**

Support for the amendments to claims 1, 6, and 15 may be found in the figures and the text of the Present Application with respect to all of the embodiments disclosed except those shown in FIGS. 21-27. Examples of pivots are shown in FIGS. 1-4 at 42; FIGS. 5-7 at 142; FIGS. 9-10 at 242; FIG. 11 at 342; FIGS. 12-16 and FIG. 18 at 442; FIG. 20; FIG. 28 and FIGS. 31-32 at 842; FIGS. 33-36 and 37-38 at 1042.

### **Claim Rejections – 35 U.S.C. § 102**

The independent claims remain rejected under 35 U.S.C. 102(b) as being anticipated by O'Laughlin (U.S. Patent No. 5,295,974), by Chang *et al.* (U.S. Patent No. 5,419,766), and by Shaw *et al.* (U.S. Patent No. 5,989,220). The devices disclosed by O'Laughlin, Chang *et al.* and Shaw *et al.* lack a needle retainer with an elongated arm which directly engages the catheter hub and rotates on a pivot. In particular, the guideway 43 in O'Laughlin, the abutment surface 19 in Chang *et al.* and the front portion 58 in Shaw *et al.* do not rotate on a pivot. For at least these reasons, the independent claims and their respective dependent claims are patentable over the prior art of record. Applicants maintains the positions asserted in the Amendment and Response dated October 25, 2007 and continue to disagree with the characterizations

of the structures disclosed in O'Laughlin, Chang et al., Shaw et al. and the implications of these structure with respect to the patentability of the claims. However, the claims have been amended so that the rejections are moot. Also, Applicants maintain the right to pursue protection for the embodiments shown in FIGS. 21-27.

### **CONCLUSION**

In view of the foregoing amendments and remarks, the Applicants submit that the claims define patentable subject matter and a Notice of Allowance is respectfully requested. Should questions exist after consideration of the foregoing, the Office is kindly requested to contact the applicants' attorney at the address or telephone number given herein.

Please continue sending all correspondence to Paul Evans at the following address: (Customer No. 26,152).

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Dated this 20th day of December, 2007.

Respectfully submitted,

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